

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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LUCAS T. S.,

Civil No. 23-663 (JRT/DLM)

Plaintiff,

v.

**ORDER ADOPTING  
REPORT AND RECOMMENDATION**

MARTIN J. O'MALLEY,  
Commissioner of Social Security  
Administration,

Defendant.

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James H Greeman, **GREEMAN TOOMEY**, 250 Second Avenue South, Suite 120,  
Minneapolis, MN 55401, for plaintiff.

James D. Sides, Sarah, Malia, **SOCIAL SECURITY ADMINISTRATION**, Office of the General  
Counsel, Office of Program Litigation, Office 4, 6401 Security Boulevard, Baltimore, MD  
21235, for defendant.

United States Magistrate Judge Douglas L. Micko filed a Report and  
Recommendation on January 8, 2024. (ECF No. 12.) No objections have been filed to that  
Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and on all of  
the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation (ECF No. 12) is **ADOPTED**;
2. Plaintiff's Brief (ECF No. 9) is **GRANTED IN PART** and **DENIED IN PART**;
3. Defendant's Brief (ECF No. 11) is **GRANTED IN PART** and **DENIED IN PART**;  
and

4. The matter is remanded to the Social Security Administration pursuant to sentence four of 42 U.S.C. § 405(g) for proceedings consistent with this Recommendation.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

DATED: January 30, 2024  
at Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge